

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Nov 01, 2024

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

CHARLES BOURG and DEBORAH
LYNN BRINSON, individually and as a
marital community,

Plaintiffs,

v.

UNITED STATES OF AMERICA;
ORACLE HEALTH GOVERNMENT
SERVICES, f/k/a CERNER
GOVERNMENT SERVICES, INC.; and
CERNER CORPORATION,

Defendants.

No. 2:23-CV-00348-SAB

**ORDER DENYING MOTION
FOR ENTRY OF STIPULATED
PROTECTIVE ORDER**

Before the Court is the parties' Unopposed Motion for Entry of Stipulated Protective Order, ECF No. 71. Plaintiffs are represented by George Ahrend, J. Andrew Hoyal, Mark Kamitomo, and Robert Gellatly. Defendant United States is represented by Derek Taylor, John Drake, and Martin St. Aubin. Defendant Cerner is represented by Dean Baxtresser, Dylan Glenn, Mary Alexander, Robin Hulshizer, and Vanessa Soriano Power. Defendant Oracle Health Government Services is represented by Dylan Glenn and Vanessa Soriano Power. The motion was considered without oral argument.

The parties ask the Court to sign a Protective Order that was drafted and agreed to by the parties. It is this Court's practice to not enter general Protective Orders that simply set forth the parties' agreement for handling "confidential"

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1 materials. Further, the statutes referenced by the parties in the Motion—45 C.F.R.
2 § 164.512(e)(1) and Wash. Rev. Code § 70.02—do not require a court order to
3 proceed with discovery on the information sought.

4 The parties are free to contract between themselves regarding disclosure of
5 information produced in discovery and pursue appropriate remedies in the event of
6 breach; however, the Court will not be party to such an agreement. If, in the future,
7 the parties wish to file specific items of discovery in the court record and protect
8 such items from public access, the Court will entertain an application for a
9 narrowly tailored protective order.

10 Accordingly, **IT IS HEREBY ORDERED:**

11 1. The parties' Unopposed Motion for Entry of Stipulated Protective
12 Order, ECF No. 71, is **DENIED**.

13 **IT IS SO ORDERED.** The District Court Clerk is hereby directed to enter
14 this Order and to provide copies to counsel.

15 **DATED** this 1st day of November 2024.



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A handwritten signature in blue ink, reading "Stanley A. Bastian", is written over a horizontal line.

22 Stanley A. Bastian
23 Chief United States District Judge
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